



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE

United States Patent and Trademark Office

Address: COMMISSIONER FOR PATENTS

P.O. Box 1450

Alexandria, Virginia 22313-1450

www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/581,691	06/06/2006	Katsumi Sano	566.46259X00	3936

20457

7590

05/27/2009

ANTONELLI, TERRY, STOUT & KRAUS, LLP

1300 NORTH SEVENTEENTH STREET

SUITE 1800

ARLINGTON, VA 22209-3873

EXAMINER

PATTON, SPENCER D

ART UNIT

PAPER NUMBER

3664

MAIL DATE

DELIVERY MODE

05/27/2009

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

# Office Action Summary

**Application No.**

10/581,691

**Applicant(s)**

SANO ET AL.

**Examiner**

SPENCER PATTON

**Art Unit**

3664

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 06 June 2006.  
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.  
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-4 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.  
6) ☒ Claim(s) 1-4 is/are rejected.  
7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.  
8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.  
10) ☒ The drawing(s) filed on 06 June 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☒ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)  
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3) ☒ Information Disclosure Statement(s) (PTO-893)  
Paper No(s)/Mail Date 6/6/2006; 12/30/2008  
4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_  
5) ☐ Notice of Informal Patent Application  
6) ☐ Other: \_\_\_\_\_

### **DETAILED ACTION**

1. Receipt is acknowledged of the IDS filed 12/30/2008 which has been entered in the file. Claims 1-4 are pending.

#### ***Specification***

2. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

The abstract of the disclosure is objected to because it exceeds 150 words and is two paragraphs. Correction is required. See MPEP § 608.01(b).

#### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. **Claims 1 and 3** are rejected under 35 U.S.C. 103(a) as being unpatentable over iQue 3600 integrated handheld Que applications guide in view of Makoto et al (JP 06-323863).

iQue teaches:

**Re claims 1 and 3.** A route searching method in a navigation system mounted on a vehicle which searches a recommended route to a destination,

characterized in that the navigation system executes:

the step of detecting a stop of the vehicle (page 2, fourth bullet and picture);

the step of detecting a current position of the vehicle in case the stop of the vehicle is detected or in case the navigation system itself is started (page 2, third bullet and picture);

the step of accepting a setting of the destination (page 16, point 6).

iQue fails to specifically teach: **(re claims 1 and 3)** using link information; the step of searching a route from the detected current position to an intersection within a range of a predetermined distance, by using the link information; the step of searching a route from the intersection to the destination by using the link information, in case the setting of the destination is accepted, and specifying a route which is composed of the route searched from the current position to the intersection and the route searched from the intersection to the destination, as a recommended route.

Makoto et al teaches, at the abstract, Figure 2, and paragraph [0020], calculating a route, using nodes and links, from an intersection within a predetermined distance of

the starting point (in this case 50 m) to a destination and using this route to guide a user.

In view of Makoto et al's teachings, it would have been obvious to one of ordinary skill in the art at the time of the invention to include, with the route searching method as taught by iQue, (**re claims 1 and 3**) using link information; the step of searching a route from the detected current position to an intersection within a range of a predetermined distance, by using the link information; the step of searching a route from the intersection to the destination by using the link information, in case the setting of the destination is accepted, and specifying a route which is composed of the route searched from the current position to the intersection and the route searched from the intersection to the destination, as a recommended route; since Makoto et al teaches this method of route searching which is an art recognized equivalent to the method of route searching employed by iQue.

5. **Claims 2 and 4** are rejected under 35 U.S.C. 103(a) as being unpatentable over iQue 3600 integrated handheld Que applications guide in view of Makoto et al (JP 06-323863) and Yokoyama (US Patent No. 5,654,908).

The teachings of iQue in view of Makoto et al have been discussed above. iQue additionally teaches:

**Re claims 2 and 4.** a display device is connected with the navigation system (page 2, picture);

the step of displaying a screen to accept confirmation from the user whether or not the destination accepted is erroneous, on the display device (page 19, clicking on correct address in the upper right figure);

iQue in view of Makoto et al fails to specifically teach: **(re claims 2 and 4)** the step of setting the destination in case data indicating that the destination is not erroneous is accepted from the user; the step of searching the route from the detected current position to the accepted destination by using the link information, before the destination is set, in case the input of the destination is accepted; and the step of specifying the searched route as a recommended route in case the destination is set.

Yokoyama teaches, at Figure 9 and column 8, lines 5-10, calculating a route based on a destination, and then requesting a confirmation of the destination and course from the user at step S35.

In view of Yokoyama's teachings, it would have been obvious to one of ordinary skill in the art at the time of the invention to include, with the route searching method as taught by iQue in view of Makoto et al, **(re claims 2 and 4)** the step of setting the destination in case data indicating that the destination is not erroneous is accepted from the user; the step of searching the route from the detected current position to the accepted destination by using the link information, before the destination is set, in case the input of the destination is accepted; and the step of specifying the searched route as a recommended route in case the destination is set; since Yokoyama teaches getting confirmation from a user of both the destination and the course so that the system

knows that the user approves of the destination and course, and the user will be confident that the system has chosen the correct route and destination.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to SPENCER PATTON whose telephone number is (571)270-5771. The examiner can normally be reached on Monday-Thursday 7:30-5:00; Alternating Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Khoi Tran can be reached on (571)272-6919. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Application/Control Number: 10/581,691

Page 7

Art Unit: 3664

/SPENCER PATTON/

Examiner, Art Unit 3664

5/23/2009

/KHOI TRAN/

Supervisory Patent Examiner, Art Unit 3664